

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARVIN BANKS,

Petitioner,

v.

WARDEN OF SCI-BENNER, et al.,

Respondents.

CIVIL ACTION  
NO. 22-602

**ORDER**

**AND NOW**, this 28th day of February 2024, upon consideration of the Report and Recommendation filed by United States Magistrate Judge Pamela A. Carlos (Doc. No. 23), Petitioner's Objections to the Report and Recommendation (Doc. No. 24), and the record in this case, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Petitioner's request for review and Petition for Writ of Habeas Corpus (Doc. No. 1) is **DENIED** and **DISMISSED** with prejudice;
3. A Certificate of Appealability **SHALL NOT** be issued because Defendant failed to "demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." Slack v. McDaniel, 529 U.S. 473, 484 (2000).
4. Judgment is entered in favor of **RESPONDENTS**;
5. The Clerk of Court shall mark this case **CLOSED**.

BY THE COURT:

/s/ Joel H. Slomsky  
JOEL H. SLOMSKY, J.